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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN PATRICK FLAHERTY, III,

Defendant.

Case No. 2:16-cr-0080-APG-NJK

**ORDER ACCEPTING MAGISTRATE  
JUDGE'S REPORT AND  
RECOMMENDATION ON MOTION TO  
DISMISS**

(ECF Nos. 33, 41)

On December 8, 2017, defendant John Patrick Flaherty filed a motion to dismiss the indictment as unconstitutionally vague. ECF No. 33. On February 2, 2018, Magistrate Judge Koppe entered her Report & Recommendation recommending that the motion be denied. ECF No. 41. Flaherty filed an objection (ECF No. 42) and the Government filed a response (ECF No. 43). I have conducted a de novo review of the issues set forth in the Report & Recommendation as required under Local Rule IB 3-2. Judge Koppe's Report & Recommendation sets forth the proper legal analysis and factual basis for the decision.

**IT IS THEREFORE ORDERED** that Magistrate Judge Koppe's Report & Recommendation (ECF No. 41) is **accepted** in its entirety. Defendant Flaherty's motion to dismiss (ECF No. 33) is **denied**.

Dated: March 21, 2018.

  
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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE